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New-York Daily Tribune.

CALIFORNIA.

POLITICS AND STATISTICS.

Pres Our Own Correspondent. SAN FRANCISCO, Feb. 5, 1858.

The Kansas question, as it stands between Douglas and Buchanan, has excited a great deal of discussion here, in and out of the newspapers, and there is a large majority in favor of the former against the latter. The Globe and Herald of this city, The Marysville Express, Tehama Advocate and Senera Democrat are for Buchanan, while The Democrat and The Argus of Placerville, The Record and The Californian of Oroville, The Columbia Gazette, The Muriposa Democrat, The Shasta Courier, The Humboldt Times, The San Diego Herald and The Yreka Union, all Democratic organs, are for Douglas; and Sacramento Union, The Alta Califorwis and The S. F. Bulletin, independent papers, are on the same side. The country papers say that there are very few among the Democrats who pre tend to side with Buchanan, and his friends admit themselves to be on the weak side by their efforts to represent the issue as one of no importance. The partisans of the Administration will smother the question if they can, knowing well that if it leads to a battle at the ballot-box they must be overthrown.

Mr. Gray, a Republican Assemblyman from this

city, offered some resolutions in the House indors-ing Douglas, but the Democrats did not like their source and laid them over indefinitely.

Senator Ferguson, a Democrat and aspirant for Congress, has offered another series of resolutions in the Senate similar in tenor to those of Mr. Gray. These resolutions have been made the special order for the 12th inst., and will no doubt lead to much debate. The friends of Buchanan have no higher hope than to postpone the resolutions indefinitely, on the ground that the State is not concerned in the question, and that the discussion would be too costly to the Treasury.

Political circles here have been greatly interested in the appointment by Gov. Weller of S. H. Brooks

of Stockton to the position of State Controller, which office is vacant by reason of the ineligibility of J. W. Mandeville, who was (and still is) U. S. Surveyor-General for this State at the time of the The votes cast. When he received a majority of the votes cast. When the appointment of Brooks was sent to the Senate for confirmation, the Democratic majority was extremely indignant, for here was who had never voted the Democratic ticket till the and postponed the consideration of the nomination from day to day, while most of the Democratic press denounced the appointee, and the others said nothing in his favor. Weller saw that he had "put nothing in his favor. Weller saw that he had "put his foot in it," so he withdrew the nomination, in-forming the Senate that he had made it under a "misapprehension of material facts," the most been a "bloody Know-Nothing," and that the "old-ling," office-seekers had more influence than the

werner supposed.
Weller has perpetrated two official jokes since h has been Governor. One was to recommend the ap pointment of a night watch to guard the State Treas ury while the Legislature is in session; the other was the expression of a hope in a message, announcing to the Assembly the approval of a bill for the change of a woman's name, that as there are a great many more men than women in the State, that here after the women will be able to have their names changed without his assistance.

The discussions which have followed the appoint

ment of Brooks have called out the facts that Austin E. Smith, Navy Agent; J. W. Mandeville, U. S. Surveyor-General; P. L. Solomon, U. S. Marshal; Dr. Maxwell, Surgeon of the U. S. Marine Hospital, and Colonel Anderson, U. S. Gauger, were all Know Nothings at one time, and all appointed to Federa offices, made vacant by the removal of the Old-Line Democrats. Scott and McKibben, present Con gressmen, are also put down as ex-Know-Nothings

A report has been made to the Senate of the con dition of the State Prison. The Committee say that the prisoners are treated like brutes, fed with pro visions which are scarcely marketable, and with no variety or change, clothed with rags, and penned up at might in a building which is never cleaned out, and which is full of vermin. Your readers are probably aware that the prison and prisoners are leased out, the lessee being bound to guard, feed clothe and work the prisoners, and receiving \$120,000 a year for his trouble. The Committee report that the lessee has violated all the main stipulations of his contract; he has not clothed, fed, or guarded the prisoners properly, nor has he treated them in a humane manner. The lessee has allowed 94 convicts to escape during the last two years, ab allows many of them such liberties that they ar scarcely prisoners. Seven are allowed to live a servants in houses away from the prison, and fiftee others are employed as trusties in a semi-official capacity in the prison. It is said that the lease void because of a promise on the part of the Legis lature to pay a larger sum of money than that affixe by the Constitution as the limit of legislative power in that respect; and the Committee recommend the that respect; and the Committee recommend that eclare the lease at an end, and assumthe control of the prison.

The Sacramento Journal, speaking of the report

says:
"On January 19, when the Committee arrived, on "On January 19, when the Committee arrived, one hundred and twenty of the prisoners were found harefooted, and some with pieces of gunny bags or blankets for shoes; none had socks. The next day, however, several had new shoes. Mr. McCauley told the Committee the prisoners had hid their shoes, to look as badly as possible, but the Committee did not succeed in discovering the hiding places of the shoeless. The clothing is no spant for Winter; most of it is the Yennams of What they had on when they came in—so remains of what they had on when they came in—so tattered and fifthy that the veriest beggar would appear like a richly-clad Persian gentleman in comparison with them. "Shelis' two feet wide, a straw matteres and one coarse shaggy blanket constitute the sleeping arrangements. Many of these blankets are torn in fragments. Prisoners nave to sleep with their working clothes on, and they having no change of clothes the whole is a mass of dirty, fifthy rags, with the lice crawling over them in great plenty. Death 'would apparently be a pleasurable relief to many of these convicts.' In the long room—146 feet by 'I feet—are turned loose like animals in a corral, to sleep each night, three hundred convicts, from the boy of fitteen to the old hardened convict; the bedding is the same as before described; and more lousy. Three females are in this room." The following are some statistics of the prison:

Taken out by habeas corpos.

Counted in prison Jan. 2)

Living outside the prison precisets, cheffy working on ranches.

Not accounted for.

Crime Counter of the counter o

at the State Prison, San Quentin, on the 20 day of

I notice, in a letter published in THE TRIBUNE, from Mexico, that the Supreme Court there has decided that Zerman was not a fillibuster, and that this "favorable result has been mainly owing to the "firm and energetic course of Mr. Forsyth, our "Minister." Let me tell you something more about this affair. Soon after Alvarez revolted against Santa Anna, Comonfort came to this city for the purpose of obtaining money and arms to support the revolution. He did not stay long, and his place was taken by a nephew of Alvarez, who was here to learn something of Americanism, and was here to learn something of Americanism, and at the same time to send assistance to his uncle. Through the agency of Comonfort and young Alvarez, the old General Alvarez was induced to appoint three Commissioners in this city, who were Roderick Matthewson, a well-known Whig and Know-Nothing politician, and office-holder in this city; M. M. Noah, formerly of New-York City, a son of the famous Major Noah, and a newspaper reporter here; and M. Lachapelle, the editor of a French newspaper. These three managed, under the instructions of Alvarez, to fit up the Archibald Gracie, to go to the assistance of Alvarez. She was to to go to the assistance of Alvarez. She was to carry some arms and clothing to Alvarez, and was subsequently to constitute the greater portion of the Mexican navy on the Pacific, and be par-ticularly serviceable to Alvarez, by seizing the Cus-tom-Houses of Mazatlan, Guaymas, La Paz and Manzanilla, where considerable sums were received for the customs for the benefit of the Santa-Anna rate. The vessel was small, and would have been party. The vessel was small, and would have been unworthy of notice as a part of any great navy; but she was to carry the Admiral of the Mexican Navy on the Pacific. The Commissioners had authority to appoint an Admiral, and, under the advice of Lachapelle, they appointed Mr. Napoleon

Zerman.

Though the Archibald Gracie had been fitted up, provided with arms and laden with soldiers and sailors to make war against the then Government de facto of Mexico, yet she managed to get off without any interference from the authorities. But her departure had been delayed too long, and, as she was a slow sailor, before she arrived at her destination Santa Anna had been overthrown and Comonfort was President. This change placed the Archibald was President. This change placed the Archibald Gracie, her forces and the Commissioners, in an entirely new position. So long as Alvarez and Commonfort were rebels they were glad for any assistance, come whence it might; but after attaining power they needed not the little schooner, and began to fear to have it known that they had invoked the interference of the hated foreigners. Zerman, by his mismanagement, increased the difficulties in the way of a recognition of the expedition by the Government.

He was anxious to conquer Lower California on his way, and therefore stopped at La Paz, went ashore alone, and semanded the surrender of the place to him. He was at once seized, and the men in his vessels, for he had chartered a whaleship on the way and put some of his men on her and sur-rendered, and the whole party was sent off in chains to Mexico, to be tried for fillibusterism. The trial was a mere farce; Comonfort and Al-varez, of course, felt all the time that Zerman was acting under their own authority, but they could not confess it before the public. They wished to get rid of Zerman; but they did not know how; and it is said that after he was acquitted by the Su-preme Court of Mexico, the verdict was not known preme Court of Mexico, the verdict was not known to the public for several months, and would not have been revealed when it was, had not a clerk about to flee on account of a revolution, betrayed the fact to the American Minister.

It seems that a singularly unfortunate choice was made in Zerman for Admiral, and this no doubt increased the difficulties in the way of a settlement of the affair. Zerman had been a chealier d'industrie

the affair. Zerman had been a chevalier d'industrie in France, and had fied to escape the reach of the law. When he arrived here, Consul Dillon received from the Minister of Foreign Affairs a copy of official documents setting forth the character vious history of Mr. Zerman. These documents were shown to Mr. Z. himself, and also to Mr. Lachapelle, but Dillon was malicious enough not to show them to the latter person until after the Gracie had

Well, after the Gracie had been siezed, and the men imprisoned, the Commissioners set up a claim for a large amount of money spent in fitting up the Gracie, and the American Minister, Mr. Forsyth, has been interesting himself to obtain indemnity for losses meurred in an expedition prohibited by the laws of the United States, and to protect men engaged in the expedition.

The Commissioners, while engaged in fitting out the Gracie, were in constant correspondence with Gen. Alvarez, and of course the letters were pre-served, and would suffice to show that Alvarez and Comonfort were in honor bound to pay the ex-penses. The total claim, principal and interest, amounts now it is said to about \$2,000,000; and it amounts now it is said to about \$2,000,000; and it is said also that the Mexican Government has issued bonds to the Commissioners. Various grants of monopolies have also been made to them, probably intended as part payment of their claims, or as sops to prevent their publishing the letters in their possession. Noah has an exclusive grant of the privilege of coining money in Lower California, and as Mexican dollars are worth from 12 to 16 per cent premium for exportation to China, a splendid fortune might be readily made out of the affair if it were in the right hands. A wealthy man, who knows something about mint operations, had made arrangements to go into partnership with Noah in establishing a mint in Lower California, not far from San Diego, but the capitalist got involved in troubles of his own, and was compelled to give up this

The annual reports of the State Controller an Surveyor-General bave been published, and they contain a large amount of interesting statistical in-formation, the most important of which I shall endeavor to present briefly for your readers.

The report of the Controller gives the amount

taxable property in the various counties, and the smount of tax paid to the State by each county. There are thirteen mining counties, which cast 58,753 votes at the last Presidential election, and paid \$236,195 into the State Treasury during the year ending June 30, 1857; while seventeen agri-cultural counties cast 18,697 votes, and paid \$160,-915. For every voter in the mining counties \$4.62 on an average went into the State Treasury, and for every voter in the farming counties \$ Francisco and Sacramento, being extensively engaged in commercial and mechanical pursuits, are not included in either class; for every voter in the former city \$15 91 are paid, and for every voter in the latter \$8.98. It is not at all wonderful that, under this state of affairs, the people of the coast counties should be anxious to have mining claims taxed; but the miners cast the most votes and are disposed to use their power to protec themselves against taxation.

The statistics of the Surveyor-General, as com piled from the reports of the County Assessors, are not accurate, but still are the best attainable. From some counties there are no reports, from other counties there are reports which omit many important items, and most of the items stated are merely guessed at. The law requires that the several Assessors shall every year make up a table for their respective counties of the number of acres and yield of all cultivated fruits and grains, the kinds and value of all manufactured products, the number of all kinds of live stock, the number of mills, facto ries, mining ditches, turnpike roads, ferries, tellbridges, &c. But no provision is made to pay for this labor, and accordingly the Assessors do their work in as superficial a manner as possible. After making some inquiries they guess, for instance, that there are so many acres of wheat in their respective counties, and that the yield is so much per acre, and they multiply the former by the latter number and they have the total wheat produce of the count

have the total wheat produce of the county. There are 42 counties in the State. The Assessore Tatal 1.27

NATIVITY OF CONVICTS.

The places of nativity of convicts under servitude 1.29

Assessors report 597,610 acres inclosed or fenced in.

There are reports of a yield of 2,172,818 bushels of wheat in 32 counties, while the sumber of acree cultivated in wheat in 34 counties was 126,639. By reducing the number of acree to what it should be relatively for 32 counties, we discover that the 2,172,818 bushels were produced on 119,032 acres, or 18 bushels were produced on 119,032 acres, or 18 bushels per acre—not a very creditable yield for a State which has produced upward of 100 bushels to an acre. However, I may say that the manuring, subsoil plowing, and many of the most important resources of the wheat farmer in the Eastern States are but little or not at all practiced here.

In barley, 31 counties report 4,449,581 bushels, while 34 counties report 196,334 acres, or 25 bushels per acre. Of oats, 1,097,399 bushels were raised, at an average yield of about 30 bushels were raised, at an average yield of about 30 bushels per acre. Of corn, only 410,293 bushels, at 33 bushels to the acre. Of potatoes, 1,822,397 bushels at 37 bushels to the acre. Of sweet potatoes, 98,597 bushels, at 270 bushels per acre. And of onions 107,804 bushels, at 100 bushels per acre.

There were 66,836 acres in hay, 14 in tebacce, 457 in broom corn. The produce of butter is 1,942,861 pounds; of cheese, 1,067,418 pounds; of wood, 843,577 pounds; of cheese, 1,067,418 pounds; of wine, 288,400 gallons.

The number of the more important kinds of fruit trees is as follows: There are reports of a yield of 2,172,818 bishels of

trees is as follows: The number of stock animals is as follows:

These are the statistics of the mills:

There are 550 mining ditches reported, with an aggregate length of 2,901 miles, and a value of \$1,516,500. There are 23 turnpike roads, with an aggregate length of 225 miles, and they cost in all \$91,500. There are 109 ferries, and 99 toll bridges. The saw-mills have a capacity to saw 300,000,000 feet per annum, and the grist-mills have ground 2,870,000 bushels of grain in a year.

San Francisco reports the manufacture of 53,000,000 of bricks in a year. The yield of the gold mines in Amador County is estimated at \$1,000,000 annually. In El Dorado 400 tuns of ice were put up in the Winter of 1856-57.

The population of Siskiyou County is reported to number 8,200 in all, of whom 5,000 are American "citizens," 1,500 foreigners, 1,000 women and 700 children.

The daily expenses of the Legislature are reported as follows: There are 550 mining ditches reported, with an

The daily expenses of the Legislature are ported as follows:
Two presiding officers, two Secretaries, two Sergeants at-Arms, and one official Reporter, \$12 each.
Two Assistant Secretaries and two Assistant Sergeants at-Arms, \$11 each.
Thirty-five Senators, seventy-nine Assemblymen, two Enrolling Clerks, two Engrossing Clerks, and two Door-keepers, \$10 each.
Twelve Deputy Clerks and four Committee Clerks, \$3 each.
Six Porters, \$6 each.

This salary is drawn for Sundays as well as week

days, and the total per week is \$10,801, and per session of 90 days—that is the usual term—\$138,870. KANSAS.

From Our Special Correspondent.

LAWRENCE, K. T., Feb. 19, 1868. Not the least valuable portion of the labors of the late Territorial Legislature was the law authorizing a census of certain districts in Kansas. Dr. Brown, one of the Commissioners appointed to take the census of Marshall County, has made his returns. The census of the Marysville Precinct, one of the strongholds of bogus swindling, and the den of Frank Marshall, the Calhounite Governor, proves the statements I have made in regard to it. I stated in THE TRIBUNE that at the October election the legal vote did not exceed fifteen. The census shows that they had at that time just fourteen legal votes. Some emigration having gone thither in the late Summer and Fall, there are now forty-one woters there, a majority of whom are Free-State. The whole county has at present one hundred and fifty voters. The heaviest settlement is the Ohio colony on the Black Vermillion, which has been there for nearly three years. They are all Freeheralded as the "banner Democratic county over the country. The returns in October showed that only one Free-State vote was polled in the county. This was done in a regular Marysvillian way. All the votes thrown at Marysville were recorded on the Democratic side save one, which was left for the sake of appearances. The county officers, who are a segment of Buford's old banditti, went down to the Black Vermillion about noon on that election day, and took away the poll-books and closed the election. About 75 votes had been polled at that time, but these they suppressed. At the old Territorial election, in March, 1855, when Missourians controlled the elections in Kansas in every precinct but one, there were only three legal voters here. band of fifteen Missourians rode out thither and polled 620 votes by marching round and round the voting shanty all day, voting each time. At the two recent elections on the Lecompton swindle the vote was not quite so large. For the December election they return 272 votes for the Constitution, the greater part of them the "Democratic" ticket, of course. For the election on Jan. 4 the returns were adroitly held back, and have not yet been counted in any of the tables printed. The returns (as per candle-box) show nearly 400 votes. The ensus just taken according to law is minute, and clearly exhibits that the Marysvillains are a "progressive Democracy." Indeed, it is more by this species of swindling in returns than by actual fraudulent votes that the Oligarchy have held their

At the January election, Bourbon County returned 712 votes—of these 523 for the "Democratic" ticket. Now, in that county the Pro-Slavery party has not more than 100 votes. The census of Kickapoo is not yet completed, but I learn enough to that the the second party of the census of the state that the second party of the second state that the result will show that the voters of Oxford, Shawnee, Kickapoo, Marysville and Fort Scott, in October, were altogether but few over 300, and yet these have served as a basis for 3,000 or 4,000 votes. In these gigantic and unblushing frauds lies the Border-Ruffian rod of

The pulse of the body politic beats very easily now. The news of the reference of the Lecompto Constitution to the Select Committee has been regarded as news of its ultimate defeat. The few who were inclined to take stock in the Lecompton swindle keep very quiet about it. More attention is turned to the election of Delegates to the Constitutional Convention. Primary meetings for nominations are being had, and the public attention is turned more to business channels.

Gov. Denver still ignores the Constitutional Convention Act. He is trying to get the Free-State men cenvinced of the propriety of remaining as a Territory for a year or two longer, and until the memory of Border-Ruffian "Democracy" is forgotten, when I suppose he flatters himself that steps to form a "Democratic" State may safely be taken. In addition to this his Excellency, being a Western man, with California experience, no doubt supposes that he could make a good thing of it. suppores that he could make a good thing of it. Gov. Denver is afraid that the acceptance of Le-compton would at once inaugurate civil war. From Bourbon County I learned has night that

there have been no further military movements.

The Fort Scottites, however, have violated their promises of restitution. Captains Bain and Montgomery still remained in camp on the Little Osace, some eight miles from Fort Scott. Complaint was made to Gen. Lane that three horses had been stelled in that their horses had been stelled in that their as the laner suspected. stolen in that vicinity, and, as the losers suspected some attachés belonging to or following the camp on the Listle Osage, Gen. Lane has ordered the officers under arrest, and a court-martial will take place the moment they get here. No one suspects either of the officers, but it is feared that some old horse-pressing here of the 56 war has followed the

eamp. But we have no positive evidence yet that the horses were really stolen at all.

the horses were really stelen at all.

Gen. Lane has appointed persons to enroll the minitia in every settlement in Kansas. He has been busy for the last week sending them out and dispatching his orders. He is evidently determined that the military arm shall not be deficient.

We have had steady Winter weather ever since the 1st of February. The lowest that the thermometer has yet marked was 3° below zero. The giver has been frozen over, and traveling generally

river has been frezen over, and traveling generally obstructed. We have only had one eastern mail in five days, and as the probabilities are that the mail going east is no better than that coming this way, it is doubtful when you will get this.

LAWRENCE, K. T., Feb. 20, 1858. Yesterday we had an improvised baptism of Delaware squaw-pony, pappoose and all. The ice on Kaw River has been used as a bridge for the past week. Horsemen and even wagons have freely made this economic transit. Two days ago wagor, loaded with those edibles and comestibles which repentant Border Ruffiandom is willing to supply to the "Abolitionists" for a "consideration," popped through the ice. For the past two days there have been increased symptoms of mildness, thaw and disruption, but horsemen and horse-women still crossed. The Delaware Indians are in the habit of visiting "Yankee town" to make pur-chases. They ride in and out, with blankets and ribbons fluttering, and occasionally get drank as a variation. The presence of the ice has rather increased their visits of late. Yesterday a squaw, with a pappoose strapped to her back, had thus with a pappose strapped to her back, had taus ridden into town. Having made what purchases she desired, and stuffed the articles thus acquired here and there in the mysterious folds of her dress, that convenient Indian "omnium gatherum," she essayed to return. Her pony, a chunky piece of Delaware horse flesh, acked slowly over the creaking ice, sniffling and poked slowly over the creaking ice, sniffling and enorting its protest against any such adventurous proceeding. Kaw River, in general, is not afficted by depth, but the pony in question, with its precious cargo, had just reached a deep place when pop through the ice it went. As the pony made a considerable hole in going down, it is by no means clear how the feminine Delaware, and her pappoose, and her bundles, got out, but they did get out, and a least that the test and proceeded to crowd gallantly rushed to the spot and proceeded to fish out the pony. The pony screamed as a horse can when in extreme pain or danger, and our "Min-nebaha" gutteralized and whined through her nose, and the pappoose stared about with its owl-like pro-fundity and dirty-tallow face until the pony was hauled out, shaking with cold, when the lady, with her pony out, shaking with cold, when the lady, which her pony and her pappoose, and her bundles, and all the rest of her dirty toggery, proceeded on her way as if nothing had happened.

It is now certain that the bill changing the county

It is now certain that the bill changing the county lines and county names has failed, as have also the bill which provided for a complete network of Territorial roads, and the bill sending Cato and Lecompte to Arapaho. I might add the bill abolishing Slavery, and nearly every other bill of general interest. While there is unquestionably a few who were actively engaged in securing just such a result, it is equally certain that a majority of them regret these things exceedingly. Had they not consumed so much of their time in the "Minneola" speculation, their constituency sould more easily have forgiven them. The Minneolians are making desperate efforts to make their speculation good. They have gone into the Constitutional Convention election with secret arrangements to carry it. One of their number boasted that they would have a majority in the Convention pledged (secretly) to it, if "Minneola" stock could do it. The indignation among the people is very great against it, but stock is freely given to newspapers and newspaper correspondents who will speak in favor of it, or at least stop opposing it. The shares are pretended to be worth \$500, and members of the press have been offered two, three, and even five of them to buy them over. One correspondent was offered \$100 in money to take a share. Shares are offered to those opposed if they will merely cease opposition. Under such circumstances I am constrained to expose this iniquity more than I otherwise would. lines and county names has failed, as have also the iniquity more than I otherwise would

THE GOVERNOR ON THE CONSTITU-TIONAL CONVENTION ACT.

LAWRENCE, K. T., Feb. 20, 1858. Gov. Denver affects to regard the Convention act as having failed. A letter addressed to him called out the letter below:

EXECUTIVE DEPARTMENT, LECORPTON, K. T., }
Feb. 17, 1858.

Gentlemen: In response to your note of yesterday, requesting my opinion upon the legality of the act calling for a new Constitutional Convention, it is necessary, to a correct understanding of the question, to go back to the first Monday in January last, the day on which the Legislature convened under the

day on which the Legislature convened under the law.

The 22d section of the Organic act provides "that "no session, in any one year, shall exceed the term of "forty days, except the first session, which may continue sixty days." The session just closed was the third held under this act, and therefore could not "ax-"ceed the term of forty days." The first Monday in January last was the fourth day of that month. In law, fractional days are not known. That day must be regarded as the first of the session, and be counted as a whole. It was so regarded and counted by every one until a few persons, toward the close of the ression, in order to accomplish certain objects, thought proper to give it a different construction, and one they weuld never have dreamed of giving i, but to effect the objects they had in view. The law fixed no hour for convening; and they might just as well have met at one o'clock in the morning, as to have waited until noon, the hour at which they did meet. Commencing then on the fourth, gave them twenty-eight days in January, and twelve more would make forty. This would carry them to the end of the forty. This would carry them to the end of the twelfth day of February, when the forty days elapsed and they stood adjourned, sine dic, by the operation

of the Organic act.

The Constitution bill was presented to me at 11 o'clock s. m. on the 10th of February. The 24th section of the Organic act provides that, "if any bill "shall not be returned by the Governor within three 'days (Sunday excepted) after it shall have been pre-sented to him, the same shall be a law in like man-"sented to him, the same shall be a law in like man"ner as if he had signed it, unles the Assembly, by
"adjournment, prevent its return, in which case it
"shall not be a law. Counting by hours—twentyfour hours to the day—this would have given me until
11 s. m. of the 13th within which to return the bill,
which was beyond the period at which the session
must close; but as fractional days are not known to must close; but as fractional days are the law, I had a right to hold it back until any time within three days after the day on which it was presented to me. This would have carried the time to the end of the 13th of February, when the session could not continue longer than the 12th.

I have understood that Mr. Whiting, the Eurolling

Clerk of the House, made a statement under oath to the effect that he had offered the Constitution bill to Clerk of the House, made a statement unter our the effect that he had offered the Constitution bill to ne before 11 o'clock the evening of the 9th. This can hardly be correct, and I allude to it only as a rowor, for I did not retire to rest that night until after that hour, and both Houses had adjourned some time before. Being quite unwell that evening, I told Mr. Walsh, my private secretary, to give information of that eact, and that it was my intention to retire. Shortly after he left the room the House adjourned, and after his return I retired, leaving him and Mr. R. S. Stevens engaged in writing in my room. They were the only persons who had been there for two or three hours before. This was after 11 o'clock, and if Mr. Whiting was there it was after that time, and after the Heuse had adjourned for the night. It was 11 the next day when Mr. Whiting piaced a roll of paper on my table, upon opening which I found it was the bill above alluded to.

But the bill never was properly presented to me,

for they never did precent the bill to me. There was much irregularity as the manner in which business was conducted by both Houses, and I frequently called the attention of members to the importance of the daties imposed on the Enrolling Committee, and the necessity there was for keeping a vigilant watch over the enrollments. Written statement were made to me that material alterations had been made in bills after they had passed both Houses, and the alterations never reported. Others were amended in one House and the amendments not reported to the other, and in every such case I felt constrained to withhold the bill and not give it my appreval.

With regard to the Convention bill, however, I had often expressed my opinion, which was always against

and not give it my appreval.

With regard to the Convention bill, however, I had often expressed my opinion, which was always against it. I had advised members not to press such a measure through, believing, as I did then and do now, that it was fraught only with mischief. At the time members were elected such a measure was never contemplated, and consequently they were not elected with that object in view. If the Lecompton Constitution should be accepted by Congress, it would be a useless trouble to elect a set of delegates to a new Convention to be held under a Territorial law. If the Lecompton Constitution should be rejected, then it would be as well to let the people have time to consider whether they desire a State organization, which they could do before the next annual election takes place in October. The passing of such an act I believe would only tend to complicate matters in the Territory already to much complicated. Believing that the people of the Territory desire peace and quiet rather than a renewal of excitement and trouble, I thought it my duty to exercise the power vested in me by the Organic Act, and retain the bill, though informally presented, and thus prevent it from becoming a law, which I did. Had the bill been approved, or become a law, is would have been regarded as a purely parties on movement, and the elections under it would have been a participated in by the adherents of one of the Delitical parties only, and not by the whole people of the Territory. In this respect, all the objections that have been arged against other movements of the kind would have been a renewal of the difficulties and troubles which have too long disturbed the peace of the Territory.

I have the honer to be, gestlemen, your obedient serwant. I we DENYER

To Messrs. G. W. Brown, G. W. Collans Reynolds.

I send a copy of the Enrolling Clerk's affidavit. It is proper to observe that even had the bill never been sent until Wednesday, that it still would be a law, as the Organic act requires that bills must be returned within three days. On this subject a high

legal authority says:

"In general, if the thing is to be done within a time, after such a time after such a fact, the day of the fact shall be taken inclusively."

In any case it is rather a small business for the

Governor to engage in, to refuse to accept a bill under the supposition that he could thus pocket it -to refuse to return it, when it would have passed over his veto. His conduct will merely complicate matters still further, and is the best evidence we could have that the Government agents here do not cant a peaceable solution of the question.

could have that the various of the question.

APPIDAVIT:

I, H. Rees Whiting, Enrolling Clerk of the House of Representatives of the Legislative Assembly of the Territory of Kansas, do hereby state that I received an act, entitled "An Act Providing "for the Election of Delegates to frame a State Constitution," from the hands of the Committee of the House on Enrolled bills, on Thesday, the 2th day of February, 1858, at about — o'cleck in the afternoon; that I took the same to the Executive chamber at the Johnson House, in Lawrence, that evening, at ten minutes before II o'clock p. m., on the same day aforesaid; that the Private Secretary of the Executive came to the door and declined receiving the same; if Pratt, Enrolling Clerk of the Council, not there about the same time, with the same enrolled bills, and was treated in like manner; that we both took out our watches and ascertained the time to be by my watch as aforesaid, and by his watch II o'clock p. m.; I set my watch that morning or the morning before by that of the Governor; it had not run down; the House was in session at the time I delivered as aforesaid the bill aforesaid. All of which is true.

Feb. 13, 1838.

Sworn to and subscribed to before me the 18th day of February.

(1 W. DELTEZLER,

Speaker of the House of Representatives.

CONSTITUTIONAL CONVENTION BILL.

Speaker of the House of Representatives.

CONSTITUTIONAL CONVENTION BILL.

AN ACT to provide for the election of Delegates to a Convention
to frame a State Constitution.

Be it enacted by the Governor and Legislative Assembly of the
Territory of Kanaas:

Be it enacted by the Loversor and Legislature Intercept of Erritory of Kanas:

SECTION 1. That an election shall be held throughout the Terricry of Kanass on the second Tuesday of March, in the year 1856, or the election of Delegates to a Convention to frame a Constitution for the State of Kanasa.

SEC. 2. That the Convention shall be composed of one hundred members, and the Territory shall be divided into districts, and delegates amost long to them as follows:

members, and the Territory shall be divided into districts, and delegates apportioned to them as follows:
Leavenworth County, 13; Douglas and Johnson, 13; Doniphan, 2, Atchison, 5; Brown, 3; Nemsha, 2; Marshall, 1; Riley, 3; Potswatamic, 2; Calhoun, 2; Lefferson, 4; Lykins, 4; Linn, 4; Bourbon and Allen, 5; Franklin, 2; Anderson, 3; Shawines, 6; Cofley, 3; Woodson, 1; Richardson, 2; Breckenridge, 3; Madison, 1; Davis, 1; Wilson and Goffrey, 1; Greenwood, 1; Wise, 1; Dorn, 1; McGee, 1; Weiler, 1; Butler and Hunter, 1; Clay and Washington, 1; Dickinson, 1.

Src. 3. That the several precincts in each county or district hall be defined, and places of voting established, and three judges on each appointed by the Commissioners selected by the

victors, James Fletcher, S. F. Ross and S. A. Baldwin; Brechentidge, Dr. E. P. Bancroft, E. Goddard and Wm. Grimaley; Maicon, A. D. Graham, S. C. Brown and Jefferson Pigmen; Johnson, Benj. Dare, Joseph Mathews land James D. Allen; Lykins, H. H. Williams, John Felton and Dr. W. Helskill; Linn, David Sibbet, E. Barnes and F. A. Means; Bourbon, Dorn and McGee, B. B. N. woton, Wm. R. Griffith and Gov. E. Ransom; Dougha, Robt, F. Nelson, J. B. Abbot and Jaa. Blood; Franklin, Jacob A. Marcell, P. P. Elder and J. A. Reid; Anderson, Davis Franklin, Jacob A. Marcell, P. P. Elder and J. A. Reid; Anderson, Davis Franklin, Jacob A. Marcell, P. A. Coffee, Watson Stewart and A. H. Rieves; Davis, James W. Blair, E. M. Thursten and Win. B. Marsball; Wise, James W. Blair, E. M. Thursten and Win. B. Marsball; Wise, James W. Blair, E. M. Thursten and Win. B. Marsball; Wise, James W. Blair, E. M. Thursten and Win. B. Marsball; Wise, James W. Blair, E. M. Thursten and B. Marsball; Wise, James W. Blair, E. M. Thursten and B. Watson Stewart and A. H. Rieves; Davis, James W. Blair, E. M. Thursten and Win. B. Marsball; Wise, James W. Blair, E. M. Thursten and Win. B. Marsball; Wise, James W. Blair, E. M. Thursten and Win. B. Marsball; Wise, James W. Blair, E. M. Thursten and Jan. Scott and W. Wood, J. A. Coffee, Watson Stewart and Ja. Philothera, Wood, J. A. Coffee, Watson Stewart and Ja. Philothera, W. Watson, Stewart and Ja. Philothera, W. Chowder, Clay, Lorenzo Gatea, Moses Youker and Issiah Scott, Behnson, C. O. Scartes, David Pritchert and Jas. Philothera, Philothera and Jas. Phi

ck p. m. c. 5. That the Judges of Election shall each, before entering

to open the poils at 9 a. m., and keep them open till to obtain their duties, make oath or affirmation that they will faithfully and imparitally discharge the duties of Judges of the Election, according to law, which oath or affirmation shall be administered by any officer authorized by law to aliminister oaths, or by one of their own body. They shall appoint two clerks, who shall take the like oath or affirmation, to be administered by one of their own body. They shall appoint two clerks, who shall take the like oath or affirmation, to be administered by one of the Judges of the Election, and whose duty it shall be to keep such a correct list of the voters who may vote at such election. A certificate of the oath taken by the Judges, as herein required, shall be attached to and returned with the poil books.

SEC. 6. Any voter shall have the right to challenge the right of any person offering to vote, and the person so challenged shall, before he shall be permitted to vote, be required to answer, under oath, to be administered by one of the Judges of Election, all questions put by the Judges or their order touching his right of vote, or whether he has voted to any other precinct during the same day, and evidence contradicting his statements may be introduced, for which he has voted to any other precinct during the same day, and evidence contradicting his statements may be introduced, for which he has voted to any other procured to administer oaths, and if satisfied that he is attempting to vote fraudulently the Judges shall enclude his vote.

SEC. 7. That the vote shall be by ballot, on which shall be written or printed, the names of the persons such of the political and the his vote. At the close of the politic atter, which hallots immediately on the reception, thereof by the udges shall proceed, publicly, to count the ballots, and shall only be additionable to the council set, which certificate, attested by the clerks, together with one of the organial relation, forward by one of said judges to one of the cean

sembly.

SEC. 8. That it shall be the duty of the Governor, the President of the Conneil and the Speaker of the House of Representatives, or any two of them, to examine and count up the returns from the several counties or districts, make produmation of the result of said election, and give certificates of election to the persons having the highest number of votes in their respective districts.

paper on my table, upon opening which I found it was the bill above alloded to.

But the bill above alloded to.

But the bill above alloded to inthe proof of this I have only to refer to the joint rules of the two Houses, which are as follows:

"In proof of this I have only to refer to the joint rules of the two Houses, which are as follows:

"Id. When a bill is duly enrolled it shall be examined by a light to be the follows:

"Id. When a bill is duly enrolled it shall be examined by a light to be two from each House, appointed for that Joint Committee of two from each House, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to hed bill, as passed in the two Hunses, and correct any errors to he dependent of the angles of the entered on the country of the Hunses, and the committee of Errorilance to the Governor, which shall be presented by the solid Committee of Errorilance to the other Hunses, and the said Committee of the Hunse, and the said Committee of the Hunse, and the said Committee of the Hunse, and the said Committee have reported a presentation so the Errorilance hunse of the Errorilance hunser of the said vote, and every error who shall note more than once at the election, the present who shall note more than once at the election herein the said election, as the provision of this act named the provision of his act may be excepted by all the male inhabitants of his act, who shall note make only of his act may be excepted by all the male inhabitants of his

MORE RASCALITY EXPOSEDD—GOV. STEW—ART AND OTHER MISSOURI OFFICIAL IMPLICATION IN FRAUDS.

From The Leasensorth Times.

We ask our people to read the following testimony, given before a legally constituted tribunal, by witnesses under oath, and then conclude whether the From State party have not been subjected to wronge that would justify a revolution. The testimony was brought out by the Board of Commissioners near the close of their session.

Dr. J. Sabin testifies—"That he was on his way to Kansas from St. Louis, about the middle of December last. That on arriving at Jefferson City he was detained four days. That, while there, he stopped at the Virginia Hotel, where Gov. Stawart of Missouri was bearding. The Sheriffs from the different counties were there to make returns to the Treesurer. Among them were sever! from counties borders.

ent counties were there to make returns to the freeze urer. Among them were sever! from counties bordereing on Kansas.

"Frank J. Marshall came in on his way to Washington, but on arriving there learned that Walker had resigned the Governorship of Kansas, and so concluded to return. While he was stopping there, he had frequent conversation with the officials of Missouri relative to his chances for success in the election of Jan. 4.

"Several of the Sheriffs from the border counties thought he need have no fear—that Missouri boys

"Several of the Sheriffs from the border counties thought he need have no fear—that Missouri boyse were all right. One of them said that he was ready to give three or four votes for Marshall, and his boyse would give five hundred. Another said that his county would give the same.

"Governor Stewart said that he was sorry that he could not be in Kansas on that day, but he knew that the boys of Missouri were all ready.

"Marshall said that the Administration did not send out Governors such as he wanted; that he had twelve or fifteen traps set for Governor Denver, and if he did not get his feet into some of them, it would be ded singular; that he would not remain the Governor of Kansas two weeks."

He testified that he is a Democrat himself.

Charles Godfrey testifies—"That he was one of the

County, for the election of Jan. 4. Mr. J. E. Har-wood, a printer, residing in Westport, was the other Clerk.

"The poils were closed at about sunset. After the polls closed the Judges and Clerks all signed a blank sheet of purpose of baving a certificate made out above their names at leisure.

"The last man who voted was F. E. Bailey, and his name appears on the poll-books as No. 163. A majority of the 163 were residents of Missouri, but held claims in Kansas, as they said.

"The day after the election he went to Wastport, at the request of Mr. Harwood. When he arrived there, at Col. Boon's store, Harwood was writing names on the poll-books. He took the other set and copied from Harwood's until he caught up with him. After he caught up, Alexander S. Johnson, son of the Rev. Thomas Johnson, came in and took the poll-books of the 21st of December, and called off names to both of them. He wrote three or four hundred names and then left. When he left, there were not as many as 336 names on the lift."

and then left. When he left, tusts were not as many as 936 names on the list."

C. J. Farland, one of the judges, confirms the testimony of Godfrey, and says that the 773 names added on after the name of Bailey are all a forgery.

Col. Danforth was in the room when these forged poll-books were being made out, and in reply to a question of Harwood as to where the Oxford poll-books were, said that they had not come in yet.

BORDER-RUFFIANISM-CALHOUN'S PLAN.

Correspondence of The Beston Journal.

QUINDARO, K. T., Feb. 19, 1858.

The people of Missouri, in this vicinity, see become year year of Pro-Slavery fillibustering. The conservative men of Parkville held a meeting on Saturday last, in which they denounced, in very severe day lass, any further Missouri intervention affairs. It is true that they also expressed their disapprobation of "Abolitionism," but this, is always done in such meetings in Missouri, as is compromise with the prejudice that prevails among a certain class.

Ex-Gov. King, of Ray County, a Bonton Democrate man, was recommended as the next moderate man, was recommended as the next and a moderate man, was recommended as the next candidate for Congress from the Parkvills District. The election occurs in August. Two men of similar sentiments were announced as candidates for the State

sentiments were announced as candidates for the Senate.

The violent Pro-Slavery men of Missouri, who are in Calhoun's secrets, state that if the Lecompton Constitution shall pass Congress, his plan is to come into Kansas surrounded by United States troops and a detachment of Missouri militia furnished by Gov. Stewart, to give the certificates to the Pro-Slavery candidates, in spite of his present public statements to the contrary. He will then, they say, convene the Legislature at Fort Leavenworth, and there, protected by Federal bayonets, that body will elect two United States Senators (the pripcipal object of their ambition), and then acjourn for a year, leaving the Territorial Government to go on for a time.

DID HORACE GREELEY VOTE AT KICKAPOO? This is the important question. The poll-books show that he did. Mr. Greeley awears he didn't, and sends from New-York, to Mr. Dickson, the following

sends from New-York, to Mr. Dickson, the tollowing affidavit:

Horace Greeley of the City and County of New-York, editor and publisher of The N. Y. Trinuxz, deposes and mays that he was never in his life in the Territory or State of Kansan, nor yet in the State of Missouri; that he certainly was not in ether of said States or Territory on the Tit day of December last, nor yet on the 4th day of January of the present year; that he never voted in any other State but New York, and was never in the Town. Village or City (whichever it may he) of Kishapoo, in Kansan sforreald, in the course of his life, or that any vote cast in said Kichapoo as by him must be fraudulent and invalid:

[Signed]
Dated New-York, Feb. 8, 1856.

ROBERTM STREERIGH, Commissioner of Deeds, &c.

We hope that James Buchanan, Wun. H. Seward,
Thomas Benton, Edwin Forrest, and other distinguished gentlemen, whose names appear on the Kickapoo

Atomas Benton, Edwin Forrest, and other distinguished gentlemen, whose names appear on the Kickapou poll-books with that of Mr. Greeley, will lose no time in making their affidavits, and relieving themselves from the taint that must else tarnish their names and characters.

character.

The people of Kansas demand an explanation of the

CUSTOM-HOUSE APPOINTMENTS .- The Washington correspondent of The Leader reports that Col

Schell, who is at present in Washington, has with him the following list of appointments for Mr. Cobb's comfirmation:

Weighers—John Cooper, Brooklyn, vice John Con, semoved, William A. Gullick, farmer, New-Jersey, Gauger, vice Was, P. Holland, removed, Inspectors—J R. Rittenhouse, New-Jersey, vice Goospe Weighted.

D. C. Witkin, Brocklyn, vice John D. Kellon, removed.
N. C. Blorvelf, Rockland County, vice Henry Chines, removed.
R. W. Goble, New Jersey, vice Stephen D. Gardaer, removed.
James Wood, Richmond, vice William T. Losch, removed.
Charles R. Fredericks, Brooklyn, vice John A. Fock, removed.
A. Krock, Brooklyn, vice Charles Winden, removed.
Clerks—Henry A. Cargill, salary \$1500, vice Wm. H. Whoolly,
smoved.

Feneron Hasbrouck, \$1 200 mlary, vice O. F. H. Youngs, re-T. W. Smith, mlary \$1 100, West-heeter, vice Daniel Hall, see ett, removed. Sidney Norton, Queens County, vice Henry Laymond, re-

E. Ralph, Kings County, vice J. Bogart, removed.
A. S. D. McIntosh, Richmond, vice R. W. Brabben, remAuttainst Storckeepers—John C. Spindler, Kings County,
Obecish Whaton, Sullivan County, vice George Everigned.

Beside the above, it is reported that the following inspectors have been marked for removal: Francis Mesterson, A. J. Mathews, D. Gavit, James Keelan Edward Martin, James Reed, John Lawrence, J. W. Foeling John Shaw, George Gordon.